

**Amendments to the Claims:**

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1-4. (Canceled)

5. (Currently Amended) An exhaust purification device for an internal combustion engine having, a NO<sub>x</sub> storing catalyst arranged in an engine exhaust passage, the NO<sub>x</sub> storing catalyst being comprised of a precious metal catalyst and a NO<sub>x</sub> absorbent and, when an air-fuel ratio of inflowing exhaust gas is lean, cold storing nitrogen dioxide NO<sub>2</sub> contained in the exhaust gas in the NO<sub>x</sub> absorbent when not activated and hot storing cold stored nitrogen dioxide NO<sub>2</sub> in the NO<sub>x</sub> absorbent when activated,

said exhaust purification device for an internal combustion engine making the nitrogen dioxide NO<sub>2</sub> contained in the exhaust gas be cold stored in the NO<sub>x</sub> absorbent in the state where said NO<sub>x</sub> storing catalyst is not activated and executing a NO<sub>x</sub> storing catalyst restoring control including at least raising the temperature of said NO<sub>x</sub> storing catalyst to a predetermined temperature to activate it when a predetermined NO<sub>x</sub> storing catalyst restoring condition is met so as to restore the cold storing capability of said NO<sub>x</sub> absorbent in the state where said NO<sub>x</sub> storing catalyst is not activated,~~An exhaust purification device as set forth in claim 1, wherein~~

wherein said NO<sub>x</sub> storing catalyst is a NO<sub>x</sub> storing catalyst having the function of hot storing nitrogen oxides NO<sub>x</sub> contained in exhaust gas in the NO<sub>x</sub> absorbent when said NO<sub>x</sub> storing catalyst is activated and the air-fuel ratio of the exhaust gas flowing into the NO<sub>x</sub> storing catalyst is lean,

said device has a NO<sub>x</sub> release speed estimating means for estimating a release speed of nitrogen oxides NO<sub>x</sub> from said NO<sub>x</sub> absorbent when making said NO<sub>x</sub> storing

catalyst said predetermined temperature and a NO<sub>x</sub> storing speed estimating means for estimating a storing speed of nitrogen oxides NO<sub>x</sub> to said NO<sub>x</sub> absorbent when making said NO<sub>x</sub> storing catalyst said predetermined temperature, and

said NO<sub>x</sub> storing catalyst restoring condition is deemed to be met when the NO<sub>x</sub> release speed estimated by said NO<sub>x</sub> release speed estimating means becomes greater than or equal to a predetermined speed set to not more than said NO<sub>x</sub> storing speed based on the NO<sub>x</sub> storing speed estimated by said NO<sub>x</sub> storing speed estimating means.

6. (Currently Amended) An exhaust purification device for an internal combustion engine having, a NO<sub>x</sub> storing catalyst arranged in an engine exhaust passage, the NO<sub>x</sub> storing catalyst being comprised of a precious metal catalyst and a NO<sub>x</sub> absorbent and, when an air-fuel ratio of inflowing exhaust gas is lean, cold storing nitrogen dioxide NO<sub>2</sub> contained in the exhaust gas in the NO<sub>x</sub> absorbent when not activated and hot storing cold stored nitrogen dioxide NO<sub>2</sub> in the NO<sub>x</sub> absorbent when activated,

said exhaust purification device for an internal combustion engine making the nitrogen dioxide NO<sub>2</sub> contained in the exhaust gas be cold stored in the NO<sub>x</sub> absorbent in the state where said NO<sub>x</sub> storing catalyst is not activated and executing a NO<sub>x</sub> storing catalyst restoring control including at least raising the temperature of said NO<sub>x</sub> storing catalyst to a predetermined temperature to activate it when a predetermined NO<sub>x</sub> storing catalyst restoring condition is met so as to restore the cold storing capability of said NO<sub>x</sub> absorbent in the state where said NO<sub>x</sub> storing catalyst is not activated,~~An exhaust purification device as set forth in claim 1, wherein~~

wherein said NO<sub>x</sub> storing catalyst is a NO<sub>x</sub> storing catalyst having the function of hot storing nitrogen oxides NO<sub>x</sub> contained in exhaust gas in the NO<sub>x</sub> absorbent when said

NO<sub>x</sub> storing catalyst is activated and the air-fuel ratio of the exhaust gas flowing into the NO<sub>x</sub> storing catalyst is lean,

said device has a NO<sub>x</sub> release speed estimating means for estimating a release speed of nitrogen oxides NO<sub>x</sub> from said NO<sub>x</sub> absorbent when making said NO<sub>x</sub> storing catalyst said predetermined temperature, a NO<sub>x</sub> exhaust speed estimating means for estimating an exhaust speed of nitrogen oxides NO<sub>x</sub> from the internal combustion engine, and a NO<sub>x</sub> storing speed estimating means for estimating a storing speed of nitrogen oxides NO<sub>x</sub> to said NO<sub>x</sub> absorbent when making said NO<sub>x</sub> storing catalyst said predetermined temperature, and

said NO<sub>x</sub> storing catalyst restoring condition is deemed to be met when a sum of the NO<sub>x</sub> release speed estimated by said NO<sub>x</sub> release speed estimating means and the NO<sub>x</sub> exhaust speed estimated by said NO<sub>x</sub> exhaust speed estimating means becomes greater than or equal to a predetermined speed set to not more than said NO<sub>x</sub> storing speed based on the NO<sub>x</sub> storing speed estimated by said NO<sub>x</sub> storing speed estimating means.

7. (Canceled)

8. (Currently Amended) An exhaust purification device for an internal combustion engine having, a NO<sub>x</sub> storing catalyst arranged in an engine exhaust passage, the NO<sub>x</sub> storing catalyst being comprised of a precious metal catalyst and a NO<sub>x</sub> absorbent and, when an air-fuel ratio of inflowing exhaust gas is lean, cold storing nitrogen dioxide NO<sub>2</sub> contained in the exhaust gas in the NO<sub>x</sub> absorbent when not activated and hot storing cold stored nitrogen dioxide NO<sub>2</sub> in the NO<sub>x</sub> absorbent when activated,

said exhaust purification device for an internal combustion engine making the nitrogen dioxide NO<sub>2</sub> contained in the exhaust gas be cold stored in the NO<sub>x</sub> absorbent in the state where said NO<sub>x</sub> storing catalyst is not activated and executing a NO<sub>x</sub> storing catalyst

restoring control including at least raising the temperature of said NO<sub>x</sub> storing catalyst to a predetermined temperature to activate it when a predetermined NO<sub>x</sub> storing catalyst restoring condition is met so as to restore the cold storing capability of said NO<sub>x</sub> absorbent in the state where said NO<sub>x</sub> storing catalyst is not activated.~~An exhaust purification device as set forth in claim 1,~~

wherein the exhaust purification device further ~~having~~ includes a NO<sub>2</sub> ratio increasing means for increasing a ratio of nitrogen dioxide NO<sub>2</sub> with respect to nitrogen monoxide NO produced at the time of combustion under a lean air-fuel ratio when said NO<sub>x</sub> storing catalyst is not activated compared with when the NO<sub>x</sub> storing catalyst is activated in the same engine operating state.

9. (Canceled)